



**Winston H. Hickox**  
Secretary for  
Environmental  
Protection



**Gray Davis**  
Governor

# **California Regional Water Quality Control Board**

## **Los Angeles Region**

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### **Los Angeles Regional Water Quality Control Board**

### **Minutes of the January 31, 2000 Special Board Meeting**

Richard H. Chambers U.S. Court of Appeals Building  
125 S. Grand Avenue, Pasadena

#### **INTRODUCTION**

1. The meeting was called to order by Chairman Nahai at 1:05 p.m.

#### **Board Members Present**

Susan Cloke, Jack Coe, Fran Diamond, Marilyn Lyon, Bob Miller, H. David Nahai, Tim Shaheen

#### **Board Members Absent**

None

#### **Staff Present**

Dennis Dickerson, Jorge Leon, Debbie Smith, Dennis Dasker, Wendy Phillips, Hugh Marley, Wayne Chiou, Cathy Chang, Jonathan Bishop, Jack Price, Ronji Harris, Robyn Goodman, Albert Novak, Sam Unger.

#### **Others Present**

Mark Gold, Heal the Bay  
Steve Fleischli, Santa Monica Baykeeper  
Robyn Stuber, USEPA  
Hazel Scotto, LWV  
George Muse, Metropolitan Water District  
Sandra Bolina, FTA/FHWA  
Richard Powers  
Jim Bemis, Mortgage DeRuse & Associates.  
Jacqueline Lambrichts, Friends of the San Gabriel River

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Joan Greenwood, Friends of the Los Angeles River

**Pledge of Allegiance.**

1. Roll Call

All members were present.

2. Board Member Ex Parte Communication Disclosure.

*There were no disclosures given by the Board Members.*

3. Public Forum.

*There were no speakers during the Public Forum.*

**CONTESTED ITEMS**

*The Executive Assistant read the opening statement for item 4. Chairman Nahai opened the public hearing and administered the oath to those testifying before the Board.*

4. Consideration of a Tentative Time Schedule Order (TSO) directing Alameda Corridor Transportation Authority to comply with requirements contained in Order No. 99-143.

*The following individuals gave presentations to the Board:*

*Mark Gold, Heal the Bay  
Steve Fleischli, Santa Monica Baykeeper  
Mitzy Taggart, Heal the Bay  
Richard Powers, Gateway Cities Council of Governments  
Joan Greenwood, FOLAR  
James C. Hankia, CEO ACTA  
Tim Buresh, ACTA  
Larry Russell, ACTA  
Alex Horne, University of California at Berkeley  
Lon Hatamiya, California Trade & Commerce Agency  
Sharon Rubalcava, Weston Benshoof*

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*The Executive Officer, Dennis Dickerson gave brief introductory remarks.*

*Dennis Dasker, Groundwater Division Chief, presented background information for Alameda Corridor Transportation Authority's discharge to Dominguez Channel.*

*Deborah Smith, Assistant Executive Officer, presented information on phase I and phase II studies proposed in the Time Schedule Order, and their necessity. She also presented a change sheet for the discharge location, and additional study timeframes and informed the Board of the comment letters that have been received in support of the project, time of completion, et cetera.*

*She estimated that the August board meeting would be the first time they would bring the permit back to the Board.*

*Jim Hankla, the Chief Executive Officer of the ACTA spoke on behalf of ACTA's governing board thanking the Board for working with ACTA and its consultants for the permit to discharge into the Channel. He indicated that ACTA very much supports the issue of the TSO, and updated the Board on the status of discharge into Compton Creek pursuant to the Cease and Desist Order issued on January 20, 2000. He urged the Board to issue the TSO with the interim limits so that ACTA can cease discharge in Compton Creek and begin discharge in the Dominguez Channel.*

*Mr. Tim Buresh, ACTA, as part of his presentation showed a video of the construction trenches, and spoke on the environmental benefits, and treatment options.*

*Mr. H. David Nahai, Board Chairman asked Mr. Tim Buresh if the chelation process had already been utilized in connection with discharge at Compton Creek.*

*Mr. Buresh answered "yes", and that it began the previous week.*

*Dr. Larry Russell, consultant for Reed International on behalf of ACTA, informed the Board of the study results of chelation and presented data pertaining to the results.*

*Dr. Alex Horne, professor at U.C. Berkeley indicated that he has been working on the more biological aspects and how the chelation process work.*

*Lon Hatamila, the Secretary of Trade and Commerce for the State of California thanked the Board for the courtesy of hearing and allowing him to address the Board. On behalf of Governor Davis he confirmed the significance and importance of the Alameda Corridor to the region and the entire state. He addressed the Alameda Corridor as the most significant transportation infrastructure project in California, and expressed the tremendous benefits to the State's economy and tangible regional improvement to Southern California, and indicated that it is the only public works project in California that Congress has designated as a project of national significance.*

*Sharon Rubalcava, Legal Counsel, on behalf of ACTA addressed questions of the Board regarding the Oversight Committee. She expressed support for the TSO, the need for the interim limits in the TSO, and also the changes in the change sheet.*

*Mark Gold, Executive Director of Heal the Bay, expressed his concern that Regional Board staff review the work plans and the results for the ACTA Project, and also help choose the*

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*Peer-Review Committee, because of the importance of the project, and to be certain that the chelation process is the right way to go.*

*Steve Fleischli, Executive Director of Santa Monica Baykeeper, spoke on the importance of the issue of objectivity in the Peer-Review, and the importance in terms of having an Oversight Committee select the Peer-Review. He also mentioned the obligation the Board has to impose fines, and ACTA's obligation to comply with its December 20, 1999 permit.*

*The following other persons addressed the Board on this matter:*

*Mitzi Taggart, Heal the Bay*

*Richard Powers, Gateway Cities Council of Governments*

*Joan Greenwood, Resident of Long Beach*

*Dr. Russell, and Dr. Horne answered questions of the Board.*

*Board staff answered questions of the Board.*

*The Chairman closed the public hearing. After discussion of the Board, a motion was made to adopt the Time Schedule Order, as amended by the change sheet, by the Executive Officer, and the Board as follows:*

*Page 11 ( Agenda Package) : March 31, 2000 submittal date for the Tracer Study Report.*

*Page 7: Item 6, deleted*

*Page 14, delete last sentence of Item 7, and delete Item 8.*

6. Adjournment of Current Meeting.

*Adjournment of Current Meeting. The meeting adjourned at 4:45 p.m. until the next regular board meeting on March 2, 2000.*

Minutes adopted at the \_\_\_\_\_ Regular Board Meeting as submitted/amended.

Written and submitted by: \_\_\_\_\_.

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